

REMARKS

As a preliminary matter, the Examiner's attention is directed to the filing date of June 15, 2004 set forth on the Office Action dated February 5, 2008. Attached hereto is a copy of a Decision on Renewed Petition under 37 CFR 1.10(d), granting that the subject application be accorded a filing date of June 14, 2004. It is respectfully requested that this modification to the filing date be integrated into the record for the subject application.

In the office action mailed on February 5, 2008, claims 139-191 were rejected. In response, the Claims have been modified as indicated above. Based upon these amendments, and the remarks below, Applicant submits that the claims are now allowable and requests issuance of the present application.

Applicant-Initiated Interview / Interview Summary

As an initial matter, Applicant thanks the Examiner for the Applicant-initiated telephonic interview on April 9, 2008 between Examiners Jwalant Amin and Kee Tung and Applicant's representative, Adam Kiedrowski. During the interview, participants discussed proposed claim amendments to the pending independent claims, with claim 139 being a representative claim for discussion. In particular, the discussion focused on the differences between Applicant's invention and the prior art references cited by the Examiner, as well as the Examiner's statement in the February 5, 2008 Office Action that "the features upon which applicant relies (i.e., allowing the parameter value to be varied) are not recited in the rejected claim(s)." Applicant's representative proposed amending the independent claims to add language directed to "allowing the parameter value to be varied" or similar variations so that the claim language is more consistent with the arguments made in the previous response to Office Action. Accordingly, claims 139, 149, 157, 166, 175, and 184 have been amended consistent with the proposal made by Applicant's representative during the telephonic interview.

Claim Rejections under 35 USC § 102

Claims 139, 140, 147, 149, 150, 155, 157, 158, 163, 166, 167, 172, 175, 176, 181, 184, 185, and 190 have been rejected under 35 USC § 102(b) as being anticipated by *Strandberg* (US Pat. No. 6,054,999). As explained below, Applicant submits that the amended claims are patentably distinguishable from and are not shown or suggested in the

Strandberg reference. As such, the claims are allowable.

As a threshold matter, Applicant finds only superficial similarities between the claimed invention and the subject matter of *Strandberg*. As described in Paragraph [0001] of the specification, the present invention relates to the display of images on an apparatus having low bandwidth and low processor capabilities. In contrast, *Strandberg* clearly requires significant processor capabilities in order to process the movements of a human actor and to convert the movements into a cartoon image. For example, see *Strandberg*, Col. 12, lines 16-22, which detail the extensive requirements of its movement recording system. In this context, the details of the above listed claims simply do not appear in *Strandberg*.

As suggested above, the present invention relates to a method of assembling an image that is constructed from a number of previously identified parts and parameters. In other words, the image is constructed from individual components and built up into an animated image.

Turning now to the cited reference, Applicant submits that *Strandberg* fails to teach or suggest the actions of (i) specifying an animation property from a number of available properties; (ii) associating each property with a parameter value, or (iii) allowing the parameter value to be varied. *Strandberg* merely teaches recording the movements of a human actor and then comparing their body position with a set of drawings in order to create a cartoon. In contrast, the claimed invention of the present application utilizes selected properties to assemble the animated images. Applicant contends that *Strandberg* simply fails to teach or suggest the "specification" of an animation property as set forth in the claims of the present invention, wherein each animation property is associated with a "parameter value." Furthermore, *Strandberg* does not teach or suggest the ability to "vary" an animation parameter value.

When considering the presently claimed subject matter as a whole, there is very little overlap between the features of the present invention and the teachings of *Strandberg*. As set forth in the claims, the present invention provides steps for assembling an animated image which are particularly useful in applications having low bandwidth and low processor "power." Again, one particular application requiring these needs includes displays on mobile phones and other handheld devices. These steps and optimal uses are quite distinct from *Strandberg's* method of producing animations from extensive human movement patterns. As such, Applicant submits that *Strandberg* does not provide sufficient

teaching to anticipate claims 139, 140, 147, 149, 150, 155, 157, 158, 163, 166, 167, 172, 175, 176, 181, 184, 185 and 190. Therefore, Applicant respectfully requests that the rejection of these claims under 35 USC § 102(b) be withdrawn.

Claim Rejections under 35 USC § 103

In addition to the rejections outlined above, claims 141-143, 148, 151, 152, 156, 159, 160, 164, 165, 168, 169, 173, 174, 177, 178, 182, 183, 186, 187, and 191 were rejected under 35 USC § 103(a) as being unpatentable over combinations of *Strandberg* (US Pat. No. 6,054,999), *Kakiyama et al.* (US Pat. No. 5,600,767), and *Haataja* (US Patent No. 6,137,836). Applicant submits that the cited references do not provide sufficient teaching to render the claims obvious. Furthermore, these claims depend from independent base claims which are allowable for at least the reasons discussed above in reference to the claim rejections under 35 USC § 102(b). Thus, Applicant respectfully suggests that the rejected dependent claims should be allowable with their independent base claims.

CONCLUSION

In light of the above amendments and arguments, Applicant asserts that the invention as claimed is both novel and non-obvious over the prior art. It is respectfully requested that the Examiner will find these claims allowable and pass the present application to issuance.

In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at 612-607-7302. If any additional fees are due in connection with the filing of this paper, then the Commissioner is authorized to charge such fees, including fees for any extension of time, to Deposit Account No. 50-1901 (Reference No. 22557-3013).

Respectfully submitted,

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